



DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled HIGH THROUGHPUT SCREENING FOR NOVEL ENZYMES, the specification of which

\_\_\_\_\_ is attached hereto.

X was filed on August 11, 2000 (Attorney Docket No. DIVER1280-4) as U.S. Application Serial No. 09/636,778 and was amended on \_\_\_\_\_ if applicable (the "Application").

I hereby authorize and request insertion of the application serial number of the Application when officially known.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT

International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

<u>09/098,206</u>	<u>June 16, 1998</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status)
<u>08/876,276</u>	<u>June 16, 1997</u>	<u>Abandoned</u>
(Application Serial No.)	(Filing Date)	

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Jay M. Short**

Inventor's signature: \_\_\_\_\_

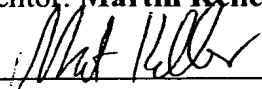
Date: \_\_\_\_\_

Residence: Rancho Santa Fe, California

Citizenship: United States

Post Office Address: 6801 Paseo Delicias  
Box 7214  
Rancho Santa Fe, CA 92067-7214

Full name of second inventor: **Martin Keller**

Inventor's signature: 

Date: 4/5/01

Residence: San Diego, CA

Citizenship: Germany

Post Office Address: 13609 Freeport Road  
San Diego, CA 92129

0948185 050301

State of Delaware  
Office of the Secretary of State PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "RECOMBINANT BIOCATALYSIS, INC." CHANGING ITS NAME FROM "RECOMBINANT BIOCATALYSIS, INC." TO "DIVERSA CORPORATION", FILED IN THIS OFFICE ON THE FOURTEENTH DAY OF AUGUST, A.D. 1997, AT 4 O'CLOCK P.M.

A CERTIFIED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS FOR RECORDING.



  
Edward J. Freel, Secretary of State

2319755 8100

AUTHENTICATION: 8607397

971272735

DATE: 08-15-97

CERTIFICATE OF AMENDMENT OF  
THE FOURTH RESTATED  
CERTIFICATE OF INCORPORATION  
OF  
RECOMBINANT BIOCATALYSIS, INC.

RECOMBINANT BIOCATALYSIS, INC. (the "Company"), a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware (the "General Corporation Law"), hereby certifies as follows:

FIRST: This Certificate of Amendment amends the provisions of the Fourth Restated Certificate of Incorporation of the Company, filed on July 10, 1997, and was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law, and was approved by written consent of the stockholders of the Company given in accordance with the provisions of Section 228 of the General Corporation Law.

SECOND: The text of Article I of the Fourth Restated Certificate of Incorporation is hereby amended to read in its entirety as follows:

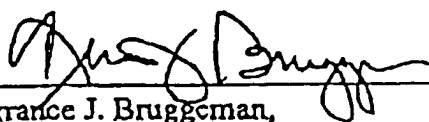
"Name

The name of the corporation is DIVERSA CORPORATION."

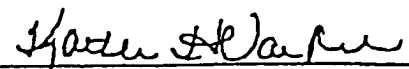
IN WITNESS WHEREOF, said Board of Directors of Recombinant BioCatalysis, Inc. has caused this Certificate of Amendment to be signed by a duly authorized officer of the Company.

RECOMBINANT BIOCATALYSIS, INC.

Dated: August 6, 1997

  
Terrance J. Bruggeman,  
Chief Executive Officer

ATTEST:

  
Kathleen H. Van Sleen, Secretary

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 04:00 PM 08/14/1997  
971272735 - 2319755

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